



Defense Logistics Agency

Green Procurement Plan

**EPA-Designated Recycled Content and Environmentally Preferable Products
EPA/DOE Designated Energy Efficient Products
USDA Designated Biobased Products and Services**

(Formerly the DLA Affirmative Procurement Plan)

Final – December 2006

Guidance for Compliance with Section 6002, Resource Conservation and Recovery Act (RCRA), Executive Order 13101, "Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition", and other Federal Requirements

Executive Summary

Federal Agencies are required to establish programs for buying “green” products. This document represents the Defense Logistics Agency’s (DLA’s) plan for that program and will be referred to as the Green Procurement Plan (GPP). For the purposes of this plan, the term “green” refers to designated items in the following categories for which Federal procurement preferences have been mandated:

- Recovered or recycled content (www.epa.gov/cpg)
- Environmentally preferable (www.epa.gov/epp)
- Energy efficient (www.eere.energy.gov/femp/)
- Biobased (www.biobased.oce.usda.gov)
- Alternative fuels/alternative fueled vehicles (www.eere.energy.gov/vehiclesandfuels/)

See Attachment A for available product lists for these categories.

DLA’s policy is to comply with Federal requirements and to purchase these items to the maximum extent practicable in both supply and service acquisitions. In every procurement action, justification must be given for a decision not to procure a green alternative in accordance with the requirements of Federal green procurement preference programs. Justification must be based upon the inability to acquire the product in a timely manner, at a reasonable price, or the inability to satisfy the technical or performance requirements.

This Green Procurement applies to all DLA program and procurement offices, contractors operating DLA facilities, and all acquisitions to include micro purchases (at or below \$2,500). This GPP is to be supplemented at the Field Activity (FA) for local implementation.

Day-to-day responsibility for execution of the program rests within the DLA FA, while DES-E has oversight of the GPP. The DES-E Pollution Prevention Team and the Acquisition Division/Supplier Operations Branch (J-331) provide program support. Questions on DLA’s GPP, or this guidance, may be directed to:

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Preface

Section 6002 of the Resource Conservation and Recovery Act (RCRA) and Executive Order 13101, *Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition*, require Federal agencies to establish programs for purchasing Environmental Protection Agency (EPA) Comprehensive Procurement Guideline (CPG) items containing recovered materials. Executive Order 13101 also directs Executive agencies to use the principles and concepts in the EPA Guidance on acquisition of Environmentally Preferable Products (EPP) and Services to the maximum extent practicable. Section 9002 of the Farm Security and Rural Investment Act (FSRIA) of 2002 requires Federal agencies to show a preference for purchasing biobased products. Executive Order 13134, *Developing and Promoting Biobased Products and Bioenergy*, significantly expands Federal procurement activities for biobased products and services. Executive Order 13123, *Greening the Government through Efficient Energy Management*, and Executive Order 13221, *Energy Efficient Standby Power Devices* levy additional requirements on Federal procuring activities with respect to energy conservation. *The Energy Policy Act of 2005, section 104*, requires Federal Agencies to procure only products that are Energy Star® qualified or meet energy efficiency specifications set by the Department of Energy's Federal Energy Management Program (FEMP) when purchasing covered products. It also calls on DLA and the General Services Administration to supply only Energy Star® or FEMP designated product in the covered categories, subject to certain limitations. Executive Order 13149, *Greening the Government Through Federal Fleet and Transportation Efficiency*, requires Federal agencies to reduce petroleum consumption and recommends the use of alternative fuels.

This Green Procurement Plan provides guidance for compliance in all these areas.

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DLA Green Procurement Plan

1.0 Purpose, Authority, and Applicability

1.1 Purpose

This Green Procurement Plan (GPP) provides guidance for implementing and maintaining effective programs for buying green products, in accordance with mandated Federal procurement preferences for recovered content, biobased, and energy efficient products; alternative fuels; alternative fueled vehicles; and environmentally preferable purchasing.

This plan applies to installation and mission activities and to product and service acquisitions. It will be incorporated into each DLA Field Activity's (FAs) Pollution Prevention Plans and facility-level procurement policies affecting local purchasing practices. FAs will supplement this plan to identify specific responsibilities. For example, the local supplement will identify who will verify the vendor certifications addressed in section 2.3.3.

This GPP does not replace any existing state or local affirmative procurement requirement more stringent than a comparative requirement implemented by this GPP. This plan is considered a living document and will be reviewed and updated periodically as needed.

1.2 Authority (RCRA, Section 6002, Section (i))

In Section 6002(i) of the Resource Conservation and Recovery Act (RCRA) Congress acknowledges the importance of recycling in managing the nation's solid waste. Congress further recognizes that recycling does not end with the collection of materials, but also includes the manufacture of recycled content products that can be purchased and used by consumers.

1.2.1 Farm Security and Rural Investment Act of 2002 (Farm Bill)

Section 9002 of this Act, "Federal Procurement of Biobased Products," requires Federal agencies to show preferences for biobased products. USDA is responsible for designating products for mandatory procurement preference and will accomplish this through a series of rulemaking actions over several years. Refer to Appendix A for a list of designated and proposed biobased products.

1.2.2 The Energy Policy Act

The goal of the Energy Policy Act of 1992 is to enhance our nation's energy security. To meet this goal, the Act requires the acquisition and use of alternative fueled vehicles. It mandates 75% of light duty vehicles acquired in a fiscal year by Federal agencies be alternative fueled vehicles.

The Energy Policy Act of 2005, Section 701, requires federal Agencies to use alternative fuels in dual-fuel vehicles unless the Secretary of Energy determines an agency qualifies for a waiver.

The Energy Policy Act of 2005 also addresses Federal Procurement of Energy Efficient Products in section 104. It requires Federal Agencies to procure only energy-consuming products listed by Energy Star or designated by the Department of Energy's Federal Energy Management Program (FEMP) when purchasing covered products, subject to certain exceptions. (See Attachment A for a list of the covered products.) The Act requires that these conforming (energy-efficient) products be "clearly identified and prominently displayed in any inventory or listing of products by the General Services Administration (GSA) or DLA" and states "the GSA or DLA shall supply only *Energy Star*® products or FEMP designated products for all product categories covered by the *Energy Star*® programs or the FEMP," subject to exceptions.

Note: "Product" does not include any energy consuming products and systems procured for combat or combat-related mission.

1.2.3 Executive Order 13101 (September 1998)

Executive Order 13101, *Greening the Government through Waste Prevention, Recycling, and Federal Acquisition* issued September 14, 1998. The order reiterates the long-standing RCRA Section 6002 requirements for agencies to purchase recovered content materials. It also directs agencies to develop and implement affirmative procurement programs and to identify and purchase environmentally preferable products and services.

1.2.4 Executive Order 13134 (August 1999)

Executive Order 13134, *Developing and Promoting Biobased Products and Bioenergy*, issued August 12, 1999, boosts the emerging market in biobased products and biobased energy. The USDA has developed several categories of biobased products which can be found at Attachment A. A product listing of designated items and proposed items can be found at Attachment A.

1.2.5 Executive Orders 13123 and 13221 (June 1999, Jul 2001)

Executive Order 13123, *Greening the Government through Efficient Energy Management*, issued June 3, 1999, requires the Federal Government to significantly improve its energy management in order to save taxpayer dollars and reduce emissions that contribute to air pollution and global climate change. It requires agencies to procure energy efficient products. Executive Order 13221, *Energy Efficient Standby Power Devices*, issued July 31, 2001, requires agencies to purchase devices that use no more than one watt of energy in the standby power consuming mode.

1.2.6 Executive Order 13149 (April 2000)

Executive Order 13149, *Greening the Government Through Federal Fleet and Transportation Efficiency*, issued April 21, 2000, requires Federal agencies to reduce petroleum consumption and recommends the use of alternative fuels and the acquisition of vehicles with higher fuel economy, including hybrid vehicles.

1.2.7 EPA Comprehensive Procurement Guidelines (CPG)

EPA is required to designate items that are or can be made with recovered materials, and to recommend practices for buying these products. Once an item is designated, procuring agencies are required to ensure their purchase of the item meets or exceeds the EPA guidelines; exception is made for technical and other reasons. Any product containing recovered material that cannot meet reasonable performance standards shall be documented with retention for required reporting. Federal agency adherence to the practices recommended in the CPG constitutes compliance with Section 6002 of RCRA. Refer to Attachment A for a list of designated items. Additional information can be found at EPA's CPG website www.epa.gov/cpg.

1.2.8 Federal Acquisition Regulation

The Federal Acquisition Regulation (FAR) governs Federal agencies and DLA acquisitions in part 23.2, Energy and Water Efficiency and Renewable Energy; part 23.4, Use of Recovered Materials; and part 23.7, Contracting for Environmentally Preferable and Energy-Efficient Products and Services.

1.2.9 Department of Defense (DoD) Green Procurement Strategy

The DoD Green Procurement Strategy, issued August 27, 2004, mandates that all activities will update their affirmative procurement strategies to meet the framework and content of the DoD GPP. Similar to affirmative procurement, the goal of green procurement is to ensure compliance with procurement preferences and make it a daily part of the purchasing activity operation. Rather than focusing on any specific Federal procurement preference program, the DoD GPP defines the management framework all DoD organizations will use to ensure compliance with procurement preference requirements.

1.3 Applicability

Section 6002 (a) of RCRA and EPA's comprehensive procurement guidelines apply to all procuring agencies, defined as "any Federal agency, or any State agency, or agency of a political subdivision of a State which uses appropriated Federal funds for such procurement, or any person contracting with any such agency with respect to work performed under such contract". Section 9002 of the Farm Bill states that Federal agencies shall comply if the purchase price of a biobased item exceeds \$10,000 or if the quantity of such items purchased in the preceding fiscal year was \$10,000 or more. Accordingly, this GPP shall be implemented by all DLA program and procurement offices, operation offices, sites, and contractors.

For DLA contractors, DLA must ensure: 1) appropriate new contracts contain GPP compliance provisions and 2) appropriate existing contracts are modified to include GPP compliance provisions. Related procurement policy will be provided to DLA's contractors in their contracts, which will include FAR 52.223-4, Recovered Material Certification and FAR 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Products and will address energy efficient and biobased issues as appropriate. DLA's contractors who procure a majority of the products regulated by USDA and DOE should be made aware of GPP requirements.

Once appropriate provisions or clauses are included in each contract, the contractor is required to comply with DLA's GPP as if the contractor were a DLA entity. Hence, the contractor will be required to monitor and report on its GPP activities as well as require its applicable sub-contractors to comply with DLA's GPP.

Executive Order 13101 requires DLA's procurement/contracting organizations to include any provisions or clauses relating to DLA's waste prevention, recycling, and affirmative procurement programs in all new solicitations for contracts. Since contractors are purchasing goods and services on DLA's behalf, they need detailed statements of work for implementing DLA's affirmative procurement policies. For example, construction contracts should include the requirement to use concrete containing fly ash or ground granulated blast furnace slag as well as building insulation containing recovered material. With respect to waste prevention, the statements of work should state that the contractors will use recycled content paper according to current EPA threshold levels. Contracts should specify that any documents submitted during the performance of a contract will be printed on both sides and any copied documents will be copied on both sides of papers submitted during the term of the contract. (See section 9.0.) Contractors creating specifications must be made aware of DLA's GPP to include the use of EPA designated items.

2.0 Buying Green: Affirmative Procurement Program at DLA

For recovered content items designated by EPA, DLA is required to implement an affirmative procurement (also known as green procurement) program consisting of four elements:

- a preference program
- a promotion and training program
- a program for vendor estimation, certification, and verification
- an annual review and monitoring program

The Farm Bill requires biobased product procurement programs to include three of these four elements: preference, promotion and training, and an annual review and monitoring. Refer to Attachment A-1 for a list of biobased products that have been designated or proposed to be designated by the USDA.

2.1 Preference Program

The preference program demonstrates to our suppliers and customers that DLA prefers to acquire recycled content, biobased, energy efficient and environmentally preferable products.

DLA's preference program is based on EPA's CPG for designated items. For those items included in the CPG, preference will be given to procuring and using such products containing the highest percentage of recovered materials practicable versus products made with virgin materials, when adequate competition exists, and when price, performance, and availability are equal (in accordance with section 6002(c)(1) of RCRA). Likewise, for items included in USDA's categories of designated biobased products, preference will be given to procuring and using those products containing the highest biobased content practicable.

A decision to purchase an EPA-designated item that does not meet the recovered materials standards requires a written determination and approval. See section 3.2 and Attachment C for Waiver information.

Attachment A contains lists of recycled and energy efficient items that have been designated for Federal procurement preference, and a list of biobased items that are largely proposed for designation. As additional items are identified, this GPP will be updated to incorporate them.

2.2 Promotion and Training Program

The promotion and training program increases awareness of the GPP requirements and encourages employees, contractors, and suppliers to comply. Due to the diverse nature of DLA, Field Activities (FAs) should implement green procurement training consistent with their mission and intent. FAs that cannot supply adequate training should contact the DLA Training Center (DTC); which has expertise in green procurement. For more information regarding Affirmative/Green Procurement training see Attachment H.

At the Enterprise level, DES-E, J-3, and J-4 together are responsible for actively promoting DLA's Green Procurement Program. DLA will promote its desire to buy environmentally friendly products by:

- Identification of applicable “green” items managed by DLA
- Periodically announcing or otherwise promoting the green procurement program in trade publications, recycling journals, and procurement publications
- Including explicit preference standards in appropriate solicitations for bids and statements of work
- Providing informational materials and training to program and procurement offices regarding the DLA preference program
- Providing vendor and product information to program and procurement offices
- Ensuring that training is provided for Government Purchase Card holders regarding the DLA preference program

Similarly, at the FA level, personnel involved in the acquisition process, including not only representatives of the technical, supply, and procurement communities but also the customers they serve and the contractors who provide products and services, will share the responsibility for promotion and training with the environmental coordinator. The contracting officer (supervisor) is responsible for knowing who needs training and ensuring they take it. The environmental coordinator can assist with identifying appropriate training.

2.3 Vendor Estimation, Certification, and Verification

(Note: This section N/A to biobased and energy efficient products)

The third RCRA requirement for affirmative procurement programs is a program for vendor estimation,

certification, and verification. For EPA designated items, DLA procuring activities must ensure vendors provide an estimate of the total recycled content of their products and certify that the recycled content meets minimum content standards.

Note: Federal supply sources such as General Services Administration (GSA), Government Printing Office (GPO), and DLA have established their own estimation, certification, and verification procedures for EPA-designated items. Therefore, program offices procuring designated items exclusively through these supply sources need not conduct independent estimation, certification, and verification reviews.

The following procedures to verify estimates and certifications apply when a program office chooses to procure designated items:

2.3.1 Estimation

The procuring activities' content standards for designated items shall be specified in the statement of work. A separate estimate from the vendor regarding the percentage of recovered materials in the product is required. If the product exceeds the minimum content standards specified, the percentage of recovered materials must be stated in order to be given consideration. FAR clause 52.223-9 "Estimate of Percentage of Recovered Material Content for EPA-Designated Products" shall be inserted into solicitations, including specifications requiring using and/or procuring recovered material. (Attachment D)

2.3.2 Certification

Vendors are responsible for: 1) providing written certification to the contracting officer stating their products meet minimum content standards; 2) maintaining copies of certification documents; and 3) producing copies of the written certification upon request.

Currently, the FAR contains a "Recovered Material Certification" provision (52.223-4) which Federal agency contracting officers shall insert into solicitations, including specifications requiring using and/or procuring recovered materials (Attachment D).

2.3.3 Verification

Procuring activities shall periodically review vendor certification documents as part of the annual review and monitoring process. Such reviews shall enable DES-E to verify compliance with Executive Order 13101.

2.4 Annual Review and Monitoring Program

The final required element is annual review and monitoring. This applies to the overall GPP, and includes recycled-content products, biobased products, and energy efficient products along with alternative fuels and other environmentally preferable products. Each FA must review and evaluate the

effectiveness of the GPP at their facility annually. This review can be incorporated in the annual self assessment all FAs must accomplish in accordance with DLAD 50525.30 (One Book), Environmental Compliance chapter, paragraph 4.6 (<https://today.dla.mil/onebook/process/170.htm>) or with comparable procurement reviews. Evaluation guidelines can be found in The Environmental Assessment and Management (TEAM) Guide (available on DENIX, <https://www.denix.osd.mil/denix/DOD/Library/Assessment/TEAM/team.html>), section 6. In addition, the Air Force Center for Environmental Excellence (AFCEE) web page (See Attachment G) provides a GPP guide with an example format for the annual review. FAs may adopt this format or develop one of their own. Results of the review may also be useful for RCRA reporting and/or facility compliance audits, although this requirement is separate and distinct from the requirement to report GPP purchase data to Congress or for RCRA reporting.

2.5 Awards

DLA FAs can compete for Environmental awards at multiple levels. The DLA Environmental Award is presented annually to an individual or team within DLA demonstrating leadership and innovation in the broad environmental arena. Also within DLA, the DLA Green Products and Services Award recognizes extra-ordinary efforts in making environmental products and services available to the customers. At the Department of Defense level (The Office of the Deputy Under Secretary of Defense (Installation & Environment) administers an annual Secretary of Defense Environmental Awards program, which recognizes successful and innovative environmental programs throughout the Department. At the Federal level is the prestigious White House “Closing the Circle” award. DES-E has the lead for identifying winners of these DLA awards and may nominate individuals and teams for DoD and Federal awards. DLA FAs should strive to win these awards as a means of gaining recognition for their achievements and improving their GPPs. DLA activities are encouraged to establish their own awards programs as part of their promotion and training program.

2.6 Goals and Progress

Whenever possible, FAs should be working to meet and monitor progress towards local, DoD, and Federal goals in their GPP. The following are examples of goals:

- Executive Order 13101, Part 6 requires Federal agencies to set goals for solid waste prevention and recycling for solid waste diversion. While DoD had established a goal of 40% solid waste diversion that applied through 2005, the new metric emphasizes continuous improvement. For details, see: <https://www.denix.osd.mil/denix/DOD/Working/Metrics/finalmetrics10012004tabA.doc>, section IV.
- The DoD goal is for 75% of all light duty vehicle acquisitions to be alternative fueled vehicles. DLA’s goal is to plan for 100%.
- The DoD goal is to achieve 100% compliance with mandatory Green Procurement Programs in all acquisition transactions, with each organization responsible for compliance with purchasing mandates.
- DLA FAs are required to assure 100% of their purchases meet or exceed EPA’s CPG. Any

shortcomings above the micro purchase threshold (\$2,500) must be justified in writing (see Section 3.3.2 Waivers).

- DLA's FAs have the goal of ensuring that purchase card holders receive green procurement training that is current within 3 years.

Procuring organizations should strive to continually improve progress towards the goals as measured by the DoD Affirmative Procurement Metrics. (See section 8.3 for details) DLA FAs may establish additional goals that are relevant locally.

3.0 Responsibilities of Procurement Request Originators

A procurement request originator is an individual or organization responsible for defining the requirements for a purchase or acquisition program. This term includes, but is not limited to, engineers, acquisition program managers, and all contract specification writers/reviewers. (Note: this is the term defined by DoD and included in Attachment I to this document, Definitions.)

Procurement request originators should read and understand the content of section 3.0 and complete affirmative procurement training. To procure designated items meeting or exceeding environmentally preferred product guidelines, procurement request originators shall consider the following, as noted below in parts 3.1. through 3.4:

3.1 Federal Supply Sources

The use of established Federal supply sources is an advantageous method for the purchase of EPA-designated items and other green alternative products. In addition to DLA, Federal supply sources include GSA and Government Printing Office. Procuring items through these sources offers the advantage of competitive bidding, compliance with EPA minimum content thresholds for recovered materials, and central tracking for some transactions. These sources also provide an additional service through independent estimation, certification, and verification of EPA-designated items containing recovered materials, thereby reducing overhead costs for procurement request originators to monitor vendor compliance with affirmative procurement requirements. Information on Federal supply sources of recycled and green alternative products is contained in Attachment F.

3.2 Acquisition Planning

For items not available through Federal supply sources, GPP requirements must be incorporated during the acquisition planning phase. In developing plans, drawings, statements of work, specifications or other product descriptions, procurement request originators shall consider the following factors: energy efficiency, elimination of virgin material requirements, use of recovered materials or biobased components, reuse of product, life-cycle cost, recyclability, use of environmentally preferable products, waste prevention (including reduction or elimination of hazardous waste), and ultimate disposal.

All applicable statements of work, procurement requests, and grants shall explicitly state a requirement for items containing recovered materials and include a minimum recovered material content level (which meets or exceeds the EPA's CPG). Case-by-case procurements shall be used when making procurement award determinations where minimum content standards cannot be met. The idea here is to ensure that contracts awarded will provide items containing recovered material to the maximum extent practicable.

EPA issues guidance on buying recycled content products in Recovered Materials Advisory Notices (RMANs). The RMANs recommend recycled and post-consumer content ranges for CPG items based on current information on commercially available recycled content products. RMAN levels are updated as marketplace conditions change. For more info, see: <http://www.epa.gov/cpg/products.htm>.

Similarly, energy efficiency criteria will be included where possible into the specifications for all product or service procurements involving energy consuming products and systems covered by the Energy Policy Act of 2005, and into the factors for the evaluation of offers received. These criteria will be those used for rating Energy Star and FEMP designated products. See section 3.4 below for additional information and links.

As recommended by the regulating agencies, DLA procuring activities will review their procurement practices and eliminate those inhibiting or precluding the use of items containing recovered or biobased materials.

3.3 Procurement from Other than Federal Sources of Supply

The easiest way for procurement request originators (including Government Purchase Card holders) to meet the GPP requirements is to use DLA, GSA, GPO or other pre-existing contractual vehicles for purchases of EPA CPG items. As noted in Section 3.1, purchasing through these sources provides a number of benefits, not the least of which is all tracking and reporting of purchases for RCRA purposes is accomplished at the contract level. If you elect to purchase CPG items outside of a Federal supply source, then additional tracking and reporting is required as described in Sections 3.3.1 and 3.5 below.

3.3.1 Recovered Materials Determination Form

Procurement request originators are responsible for defining product specifications using the recommended minimum content standards when procuring EPA-designated recovered content items from outside vendors. The procurement request originator must complete a Recovered Materials Determination Form (Attachment B) for each deliverable containing an EPA-designated item. By completing this form, the procurement request originator is certifying that the statement of work or specifications for the requisition of materials/services specified complies with recommended minimum content standards for recovered materials. The completed form becomes part of the official contract file.

3.4 Procurement of Biobased, Energy Efficient, and Environmentally Preferable Products

USDA has the responsibility for creating a **biobased** product list for Federal use. Current plans are to designate biobased products in multiple product categories. In March 2006, USDA designated the first 6 items and expects to designate approximately 100 more, as shown in Attachment A-2. The requirement for Federal agencies to give procurement preference to designated biobased products begins one year after USDA designates the items. For the latest details on USDA's biobased product work, see: <http://www.biobased.oce.usda.gov/public/index.cfm>.

Federal agencies are required to procure **energy efficient** products qualified in the Energy Star program or designated by FEMP. (See Attachment A-3 for a list of covered products.) Energy Star® is a voluntary partnership between the U.S. Department of Energy (DOE), the U.S. Environmental Protection Agency (EPA), product manufacturers, local utilities, and retailers. The partnership promotes the use of energy efficient products and educates consumers about the benefits of energy efficiency. For details, see: <http://www.energystar.gov/>. FEMP is a DOE program that works to advance energy efficiency and water conservation in Federal agencies. For details see: <http://www.eere.energy.gov/femp/>. Federal agencies are also required to procure devices that use no more than one watt of energy in the standby power consuming mode. For details, see http://www.eere.energy.gov/femp/procurement/eep_standby_power.cfm.

Environmentally preferable purchasing is also required in the Federal sector and seeks products and services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance or disposal of the product or service. Unlike the mandates for recycled content, biobased, and energy efficiency, there is no designated list of covered environmentally preferable products nor a requirement for waivers. For more details, see: <http://www.epa.gov/opptintr/epp/>

3.5 Exceptions and Waivers

Decisions NOT to procure green products subject to certain Federal procurement preferences must be documented as described below:

a. Any decision not to procure items meeting EPA guideline standards shall be justified in writing if the purchase is greater than the micro purchase threshold (i.e., >\$2500). A waiver is appropriate only if the items are:

- Not available competitively,
- Not available within a reasonable time frame,
- Unable to meet appropriate performance standards or functional requirements, or
- Only available at an unreasonable price (see definition of "unreasonable price")

NOTE: DoD intends to pursue a blanket exception for products or systems designed or procured for

combat or combat-related missions, so exception documentation for such purchases is not necessary.

The contracting officer must place in the contract file a written justification if an acquisition of EPA-designated products above the micro-purchase threshold does not contain recovered material. For installation acquisitions, the Request for Waiver Form (Attachment C) will be used. For stock or mission acquisitions, a locally developed form may also be used. In all cases, the original form/justification becomes part of the official contract file and a copy is forwarded to DES-E.

b. Exception requirements for biobased and energy efficient products are similar to those for the recycled content products and the form at Attachment C may be used. Key differences are that these programs generally exclude combat related products, and for energy efficient, the unreasonable price determination must consider energy costs throughout the life cycle, using the life-cycle cost analysis methods prescribed by 10 CFR part 436, subpart A.

3.6 Alternative Fueled Vehicle Program and Alternative Fuels

Alternative Fueled Vehicles (AFV)

The Energy Policy Act of 1992 mandates that 75% of light duty vehicles acquired in a fiscal year by Federal Departments be AFVs. Executive Order 13149 expanded on these provisions, and DLA policy is to comply with AFV requirements. The DLA goal is to plan for 100% AFV acquisitions. DLA leases vehicles from the General Services Administration (GSA) Fleet rather than purchasing them. DLA FAs Fleet/Equipment Managers work with their GSA Fleet Representative to obtain AFVs each year. For additional policy and guidance, contact DES-I.

Alternative Fuels

The Energy Policy Act of 2005 (EPAct 2005) mandates that AFVs operate on alternative fuel. DOE is to provide guidance on waivers and implementing procedures, which will be provided to FAs through DES-I. DLA intends to meet this new requirement when alternative fuel is reasonably available.

3.7 Life-Cycle Cost Analysis

The concept of “green procurement” is predicated upon an assessment of life cycle costs. Federal agencies are required by Office of Federal Procurement Policy (OFPP) Policy Letter 92-4 (See http://www.whitehouse.gov/omb/procurement/policy_letters/92-4_110292.html) to use life cycle cost analysis, wherever feasible and appropriate, to assist in selecting products and services. When comparing alternative products, the initial cost of the acquisition as well as lifetime maintenance costs, operational costs, etc., must be considered in the analysis because a product with higher initial cost might prove to be a better value in the long run. For Energy Star and FEMP designated products, energy cost savings over the life of the products must be taken account. The FAR provides that agencies should use “best value” for acquisitions.

3.8 Government Specification Preparation, Review, and Revision

Procurement request originators and specification preparing activities are responsible for reviewing and revising specifications, standards, and product descriptions during the acquisition-planning stage to increase procurement of green products. Those specifications and standards unrelated to performance or presenting barriers to procuring green products should be revised or eliminated when reviewing or drafting procurement specifications.

Environmental factors will be considered when converting to Commercial Item Descriptions (CID). DLA must ensure government specifications or product descriptions are up to date and that the CID meets or exceeds these requirements.

The following are suggested revisions to specifications to make them more environmentally friendly:

- Express preference for recovered/recycled material, to the maximum extent practicable
- Allow for purchase of products with recovered material
- Eliminate requirements for virgin materials
- Express preference for biobased or energy efficient products
- Revise performance standards currently excluding items with recovered material or biobased content
- Revise performance standards having more stringent requirements than necessary to meet agency's needs

Whenever a specification or standard is revised to allow for a green product, additional types, grades, or classes should be added for the green product. In addition, assigning green products new National Stock Numbers precludes mixing green stock with the non-preferred product.

Note: when DLA is the order fulfillment agency, only the Specification Preparing Activities can revise a specification or standard, but this may involve collaboration with or initiatives by DLA personnel aware of barriers to or preferences for environmentally preferred products.

4.0 Responsibilities of Contracting Officials

Contracting officials are responsible for reviewing all procurement requests and making sure that green products and services are incorporated into the solicitations for contracts as required and appropriate. Contracting officers should ensure that all procurement personnel receive proper training and periodically audit their personnel to make sure they are complying with regulations. Contracting officers can accomplish these goals by:

- Encouraging procurement request originators to complete affirmative procurement training
- Documenting the completion rates of affirmative procurement training as well as other procurement data for management review purposes
- Incorporating appropriate affirmative and green procurement language and FAR provisions and clauses into solicitations for contracts, consistent with the needs of the customer
- Ensuring that all contracts are developed with consideration of FAR 23.405, which requires

written justification for purchases above the micro purchase threshold of \$2,500.00 for the procurement of non affirmative items.

- Encouraging manufacturers to generate responsible stewardship programs that allow for the return of excess un-used materials, used items, containers, and packaging.

Together with Environmental Coordinators, the acquisition teams or integrated requirement teams at the FAs are responsible for implementing training and promotion programs, and for reviewing and monitoring the FAs GPP. Representatives from Contracting will be key players in the FAs Green Procurement Team established by the Commander (see section 7.0).

The responsibilities of installation procurement offices outlined in DOD's Green Procurement Plan Policy and Strategy are listed at Appendix I.

5.0 Responsibilities of Environmental Coordinators and Environmental Management Representatives

Together with the acquisition team or integrated requirement team, FAs Environmental Coordinators are responsible for implementing training and promotion programs for their FAs. As part of a promotion and training program, Environmental Coordinators advise procurement request originators and contracting officers on strategies to comply with affirmative procurement. Ways this can be done include:

- Providing a Federal listing of green products and services (See Attachments A, F and G)
- Advising procurement request originators and contracting officers on green acquisition strategies
- Providing recommendations to management involved in the purchasing process on the preparation, implementation, and monitoring of the GPP
- Implementing an awareness program to promote green procurement, to include recognition or awards

Together with the acquisition team or integrated requirement team, Environmental Coordinators are also responsible for annual review and monitoring of the FAs GPP (See section 2.4 above). The Environmental Coordinator will be a key player in the FAs Green Procurement Team established by the Commander (see section 7.0).

A helpful strategy is inclusion of affirmative procurement as an objective in DLA Environmental Management Systems (EMS). This approach facilitates affirmative procurement goals through the EMS structure of milestones, audits, and annual reviews. Environmental management representatives, who are the coordinators of the EMS at DLA FAs, will consider affirmative or green procurement as an objective in the EMS. For additional information on EMSs, see the following websites:

<https://today.dla.mil/dss/ems/> and <http://www.fedcenter.gov/programs/ems/>.

6.0 Responsibilities of Supply Chain Managers

When DLA manages an item, the Supply Chain Managers will work to assist customers in fulfilling

their environmental obligations while meeting their supply needs by ensuring that:

- as an established Federal supply source, the DLA inventory includes all green products in their commodity areas for which procurement preferences have been mandated;
- the appropriate information related to these products is provided for communication to customers, using systems such as the Federal Logistics Information System (FLIS), Business System Modernization (BSM), etc.;
- opportunities to identify other environmental alternative products for addition to the inventory (beyond the mandated items) are aggressively pursued in order to offer customers as many green options as possible.

Supply Chain Managers will establish responsibilities and procedures for executing these functions. This could include designating an individual focal point or several coordinators, establishing a separate green product council, supplementing an existing team, or some other locally appropriate mechanism. Note that collaboration with the Specification Preparing Activities (SPA) may be required to ensure that green products are included in the inventory, to include appropriate specification preparation as described in section 3.8. DES-E can assist managers with contacts through DoD command channels when necessary to engage activities outside DLA (such as the SPA).

Note that many of the requirements in section 3.0 above, for Procurement Request Originators, also apply to Supply Chain Managers.

7.0 Responsibilities of DLA Field Activity Commanders

Installation and operational Commanders will encourage their personnel to comply with affirmative and green procurement. Commanders will:

- Issue an activity policy on Green Procurement to demonstrate commitment and provide direction. See Attachment E for a model policy letter.
- Designate an activity Green Procurement Team which will include personnel representing contracting (development and administration), environmental, logistics (purchase request originators), government purchase card administration, and any others deemed appropriate locally, such as additional acquisition personnel for commodity management activities. The Green Procurement Team will supplement this document with a plan that will address local objectives, responsibilities (including training and promotion), exemption processes, and procedures for maintaining continuity of the plan.
- Ensure that all appropriate environmental and procurement personnel are aware, skilled, and accountable for complying with affirmative procurement requirements
- Monitor and review installation objectives and targets for green procurement
- Periodically evaluate performance relative to green procurement objectives and targets

8.0 Green Procurement Reporting

The Environmental Reporting Logistics System (ERLS) Green Procurement Report (GPR) is designed

to assist DoD procuring activities in tracking annual purchases of green items and associated conventional (non-green) items. For details see: <http://www.dlis.dla.mil/erlsgpr/>. DLA FAs will use the ERLS GPR tool to assist in green procurement monitoring and reporting.

8.1 Reports

HQ DLA (DES-E) must report annually on DLA purchases of EPA designated recycled content items under the GPP to ADUSD (ESOH) who in turn compiles a DoD-wide report for submission to the Federal Environmental Executive (FEE) and OFPP in accordance with section 6002 of RCRA. The FEE reports to OMB annually and OFPP reports to Congress biennially. HQ DLA will issue a data call to the FAs each year, consolidate inputs, and submit required data to the requesting DoD official. Contract compliance information reported through the Federal Procurement Data System (FPDS) provides additional data for this report.

8.2 Data Analysis and Feedback

In addition to fulfilling Federal reporting requirements, HQ DLA (DES-E and J-331) may analyze the data to identify strengths and weaknesses of the GPP and provide feedback to program and procurement offices. FAs are encouraged to incorporate data analysis into their annual review and monitoring required in section 2.4, using tools such as the FPDS and ERLS GPR.

8.3 DoD Affirmative Procurement Metrics

The Office of the Secretary of Defense will measure progress towards compliance with the Federal GPP through the following metrics.

1. The codes in the DD Form 350, *Individual Contracting Action Report*, Line B12F, will be assessed for achieving the percent reduction in the number of “E” codes and the percent increase in “A” codes (tracked in the FPDS).
2. DLA’s ERLS GPR tracks the purchases of Federally-defined indicator items. This metric will be evaluated for achieving an increase in the percentage of purchases of Federally-defined indicator items relative to the number of all similar purchases in each category.
3. Data from the Defense Acquisition University’s (DAU) training information database will be used to monitor the number of contracting personnel trained in green procurement once it is available. This metric will be evaluated for achieving an increase in the percentage of contracting personnel trained in affirmative procurement.

In addition, the DLA Enterprise Support metrics include green procurement training for purchase card holders, and will include metrics for training of contracting personnel once the DAU system is mature.

9.0 Waste Prevention Opportunities

Section 101 of Executive Order 13101 encourages Federal agencies to incorporate waste prevention and recycling in the agency's daily operations in support of the national policy of preventing pollution. DLA strongly encourages electronic transfer of documents and double-sided copying of all documents as a waste prevention strategy. FAR clause 52.204-4 (b) "Printed or Copied Double-Sided on Recycled Paper" shall be inserted into solicitations, including specifications requiring using and/or procuring recovered material. The clause states *"In accordance with Section 101 of Executive Order 13101 of September 14, 1998, Greening the Government through Waste Prevention, Recycling, and Federal Acquisition, the Contractor is encouraged to submit paper documents, such as offers, letters, or reports, that are printed or copied double-sided on recycled paper that meet minimum content standards specified in Section 505 of Executive Order 13101, when not using electronic commerce methods to submit information or data to the Government."* DLA will utilize an electronic acquisition system once such a system is developed and implemented for DoD/Federal government use

10.0 Other Recycled and Green Products

EPA's guidelines may not always reflect products or services most often used by DLA. Procurement request originators are encouraged to request, procure, and use other green products not specified in this guide. In many cases, a choice of virgin and recycled product may be offered through Federal supply sources and outside vendors providing opportunities to buy recycled beyond the mandated items. In addition, opportunities to procure biobased and energy efficient products are increasing each year.

EPA has developed seven guiding principles for identifying and purchasing products and services.

- (1) Consideration of environmental preference should begin early in the acquisition process and be rooted in the ethic of pollution prevention.
- (2) Environmental preference is a function of multiple attributes.
- (3) Environmental preference should reflect life cycle considerations of products and services to the extent feasible.
- (4) Environmental preference should consider the scale (global vs. local) and temporal reversibility aspects of the impact.
- (5) Environmental preference should be tailored to local conditions where appropriate.
- (6) Environmental objectives of products or services should be a factor or sub-factor in competition among vendors when appropriate.
- (7) Agencies need to carefully examine product attribute claims.

DLA will use these principles to identify and purchase environmentally preferable products and will review and revise specifications, solicitation procedures, and policies where appropriate.

Attachment A – Summary of Designated Preference Items

A-1 EPA Categories and Designated Items

The Comprehensive Procurement Guidelines (CPG) is the document EPA uses to formally designate the items made from recovered or recycled materials covered by the GPP. Periodically, EPA reviews a broad list of potential products made from recovered materials and solicits input from end users, manufacturers, distributors and the general public on the feasibility of mandating the item for affirmative procurement programs. Listed below are the eight categories of currently listed CPG items:

- Construction Products
- Landscaping Products
- Non-paper Office Products
- Paper and Paper Products
- Park and Recreation Products
- Transportation Products
- Vehicular Products
- Miscellaneous Products

EPA has created an excellent Web page for CPG information at www.epa.gov/cpg. The “Products” section of the page lists all currently designated and proposed guideline items and their associated recycled-content requirements. The full text of each CPG is found in the “Background” section. Other sections of the Web page provide product Fact sheets, give CPG program updates, and answer frequently asked questions.

A-2 Biobased Items

The USDA is in the process of designating products for mandatory Federal procurement preference. The attached listing includes those that have been or may be proposed for this designation list. For the latest information, see <http://www.biobased.oce.usda.gov/public/index.cfm>.

A-3 Energy Efficient Items

The attached listing includes energy efficient items listed by Energy Star or designated by the Department of Energy’s Federal Energy Management Program. For additional information, see <http://www.eere.energy.gov/femp/procurement/>

Attachment A-1 EPA Designated Recovered Content Products (continued)

Construction Products

Building insulation products
Carpet and carpet cushion
Cement and concrete containing coal fly ash,
ground granulated blast furnace slag,
cenospheres, or silica flume
Consolidated and reprocessed latex paint
Floor tiles
Flowable fill (backfill)
Laminated paperboard
Modular threshold ramps
Nonpressure pipe
Patio blocks
Railroad grade crossing surfaces
Shower and restroom dividers/partitions
Structural fiberboard

Landscaping Products

Compost made from yard trimmings or food waste
Garden and soaker hoses
Hydraulic mulch
Lawn and garden edging
Plastic lumber landscaping timbers and posts

Non-Paper Office Products

Binders, clipboards, file folders, clip portfolios, and
presentation folders
Office furniture
Office recycling containers
Office waste receptacles
Plastic desktop accessories
Plastic envelopes
Plastic trash bags
Printer ribbons
Toner cartridges

Paper and Paper Products

Commercial/industrial sanitary tissue products
Miscellaneous papers (tray liners)
Newsprint
Paperboard and packaging products
Printing and writing papers

Park and Recreation Products

Park benches and picnic tables
Plastic fencing
Playground equipment
Playground surfaces
Running tracks

Transportation Products

Channelizers
Delineators and flexible delineators
Parking stops
Traffic barricades
Traffic cones

Vehicular Products

Engine coolants
Rebuilt vehicular parts
Re-refined lubricating oils
Retread tires

Miscellaneous Products

Awards and plaques
Bike racks
Blasting grit
Industrial drums
Manual-grade strapping
Mats
Pallets
Signage
Sorbents

Attachment A-2

Federal Biobased Preferred Procurement Program - Approved Items (USDA)

Round 1

- Urethane Roof Coatings
- Hydraulic fluids (mobile equipment)
- Penetrating oils
- Diesel additives
- Water Tank Coatings
- Bedding, Bed Linens, and Towels

Federal Biobased Preferred Procurement Program - Proposed Items (USDA)

Round 2

- Adhesive and Mastic Removers
- Biodegradable Containers
- Bio-Fluid Filled Transformers
- Composite Panels
- Fertilizers
- Grease and Graffiti Removers
- Hand Cleaners and Sanitizers
- Insulating Foams – Wall Construction
- Metal Working Fluids
- Sorbents

Round 3

- 2 Cycle Engine Oils
- Biodegradable Cutlery
- Biodegradable Films
- Carpet Cleaners
- Carpets
- Dust Suppressants
- Glass Cleaners
- Greases
- Hydraulic Fluid – Stationary Equipment
- Lip Care Balm

Round 4

- Bath and Tile Cleaners
- Biobased Clothing
- Concrete and Asphalt Release
- Cutting, Drilling and Tapping Oils
- De-Icers
- Durable Plastic Films
- Expanded Polystyrene Foam Recyclers
- Fire Arm Lubricants
- Laundry Products
- Wood and Concrete Sealers

Attachment A-3

ENERGY STAR Labeled and FEMP Designated Products*

ENERGY STAR®-qualified and FEMP-designated Products*

(† - Standby power requirement; *no Purchasing Specification*)

Lighting:

Compact Fluorescent Lamps
Residential Light Fixtures
Fluorescent Lamps & Ballasts*
Fluorescent Luminaires*
Downlight Luminaires*
Industrial Luminaires*
Exit Signs
Ceiling Fans
Traffic Lights

Commercial & Industrial Equipment:

Unitary (Packaged) Air Conditioners
Air-Cooled Electric Chillers*
Water-Cooled Electric Chillers*
Air-Source & Water-Source Heat Pumps*
Ground-Source Heat Pumps*
Commercial Boilers*
Electric Motors*
Distribution Transformers

Food Service Equipment:

Solid Door Refrigerators and Freezers
Gas Griddles*
Fryers
Hot Food Holding Cabinets
Steam Cookers
Beverage Vending Machines
Water Coolers
Ice Machines*
Pre-Rinse Spray Valves*

Office Equipment:

Computers†
Monitors†
Laptops†
Printers†
Fax Machines†
Copiers†
Scanners†
Multifunction Devices†
External Power Adaptor, Mailing Machines

Home Electronics:

Televisions (TV)†
Video Cassette Recorders (VCR)†
Combination Units (TV + VCR)†
Digital Video Display (DVD) Products†
Cordless Telephones
Answering Machines
Combination Telephone/Answering Machine
Home Audio†

Appliances:

Refrigerators
Freezers
Dishwashers
Clothes Washers
Room Air Conditioners
Dehumidifiers
Room Air Cleaners

Residential Equipment:

Central Air Conditioners
Air-Source Heat Pumps
Ground-Source Heat Pumps
Gas Furnaces
Residential Boilers
Electric Water Heaters*
Gas Water Heaters*
Ventilation Fans
Programmable Thermostats

Plumbing:

Faucets*
Showerheads*
Urinals*

Construction Products:

Residential Windows, Doors and Skylights
Roof Products

* **FEMP** is the Federal Energy Management Program, which is a DOE program for the Federal Government; Federal buyers are now required by the Energy Policy Act of 2005 to purchase products that are [ENERGY STAR®](http://www.eere.energy.gov/femp/procurement/)-qualified or FEMP-designated. See details at:
<http://www.eere.energy.gov/femp/procurement/>

Attachment B

Recovered Materials Determination Form

Instructions

The procurement request originator completes this form when EPA-designated recovered content items are procured from vendors not on a GSA schedule or when a GSA schedule is not used. This form is not required for items requisitioned from established Federal supply sources.

1. The procurement request originator or purchase cardholder identifies the item(s) being purchased, signs and date the bottom of the form.
2. The completed form becomes part of the official contract file.

Procurement Request No. _____

Purchase Card Action Date _____ Vendor _____

The statement of work and specifications covering this procurement request are subject to the Defense Logistics Agency's Affirmative Procurement Program. The items being procured are: (Check category and circle appropriate item)

_____ Paper and Paper Products (commercial/industrial sanitary tissue products, miscellaneous papers, newsprint, paperboard and packaging products, printing and writing papers)

_____ Vehicular Products (coolants, re-refined lubricating oils, retread tires, rebuilt vehicle parts)

_____ Construction Products (Building insulation, Carpet, Carpet cushion, Cement/Concrete containing granulated blast furnace slag/fly ash, Reprocessed latex paint, Floor tiles, Flowable fill, Laminated paperboard, Modular threshold ramps, Non-pressure pipe, Patio blocks, Railroad grade crossing surfaces, Shower and restroom dividers/partitions, Structural fiberboard)

_____ Transportation Products (Channelizers, Delineators, Flexible delineators, Parking stops, Traffic barricades, Traffic cones)

_____ Park and Recreation Products (Park benches and picnic tables, Playground surfaces and equipment, Running tracks, Plastic fencing)

_____ Landscaping Products (Garden and soaker hoses, Hydraulic mulch, Plastic lumber landscaping timbers and posts, Lawn and garden edging, Compost from yard trimmings)

_____ Non Paper Office Products (Binders, clipboards, file folders, clip portfolios and presentation folders, Office furniture, Office recycling containers, Waste receptacles, Plastic desktop accessories, Plastic envelopes, Plastic trash bags, Printer ribbons, Remanufactured toner cartridges)

_____Miscellaneous Products (Awards and plaques, Bike racks, Blasting grit, Industrial drums, Mats, Pallets, Signage, Sorbents, Manual-grade strapping)

I hereby certify the Statement of Work/Specifications for the requisition of materials/services listed above complies with EPA Comprehensive Procurement Guidelines for minimum recovered/recycled material content levels.

Procurement Request Originator's Signature

Date

Purchase Cardholder' Signature

Date

Attachment C

Request for Waiver or Exception

Instructions

Complete this form when preferred procurement products or services subject to DLA's Green Procurement Plan **are not** procured. (These include EPA designated recovered-content, biobased, or energy efficient products).

1. The procurement request originator/purchase cardholder or contracting officer checks the appropriate justification(s), provides a written explanation, and signs and dates the form.
2. The original completed form becomes part of the contract file.
3. The procurement request originator submits a copy of the form to the field activity's designated Environmental Coordinator.
4. The Environmental Coordinator forwards a copy of each Request for Waiver form to DES-E within 30 days.
5. Attach additional pages, if necessary

Name of Product or Service: _____

Stock Number or Description: _____

Purchase Request Number: _____

Method of Purchase: _____ Date: _____

Vendor or Source: _____

Applicable Exception (check one):

_____ Availability (not available within a reasonable period of time)

Date needed: _____ Date available: _____

_____ Performance (fails to meet performance standard in the specifications)

Describe the standard and what is needed: _____

Describe how the guideline item fails to meet the standard: _____

_____ Price (only available at unreasonable cost, taking life cycle energy costs into account)

Price of preferred product/service: _____

Price of non-preferred product/service: _____

_____ Limited **sources** (not available from 2 or more sources)

Market research was performed by contacting _____ (insert number) vendors, but only
_____ (enter name) was able to supply the product or service.

This determination is made in accordance with FAR 23.203(A), 23.405(c).and/or 23.703 as applicable.

Technical OPR -- Signature and Office Symbol _____ Date

Concurrence – Contracting Officer _____ Date

Concurrence -- Environmental Coordinator _____ Date

Concurrence – Director, DLA _____ Date
(for covered energy consuming products only)

Attachment D

Federal Acquisition Regulation Recovered Material Certification

The following FAR provisions, "Recovered Material Certification" (52.223-4) and "Estimate of Percentage of Recovered Material Content for EPA-Designated Products" (52.223-9), shall be inserted into solicitations having specifications requiring the use and/or procurement of recovered materials.

Recovered Material Certification (October 1997):

As required by the RCRA of 1976 (42 U.S.C. 6962(c)(3)(A)(i)), the offeror certifies, by signing this offer, that the percentage of recovered materials to be used in the performance of the contract will be at least the amount required by the applicable contract specifications
(End of Provision)

Estimate of Percentage of Recovered Material Content for EPA-Designated Products (Aug 2000)

(a) Definitions. As used in this clause—

“Postconsumer material” means a material or finished product that has served its intended use and has been discarded for disposal or recovery, having completed its life as a consumer item. Postconsumer material is a part of the broader category of “recovered material.”

“Recovered material” means waste materials and by-products recovered or diverted from solid waste, but the term does not include those materials and by-products generated from, and commonly reused within, an original manufacturing process.

(b) The Contractor, on completion of this contract, shall—

(1) Estimate the percentage of the total recovered material used in contract performance, including, if applicable, the percentage of postconsumer material content; and

(2) Submit this estimate to _____ [Contracting Officer complete in accordance with agency procedures].

(End of clause)

Attachment E

Model Green Procurement Policy Letter for Field Activities

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Green Procurement Policy

Conservation of energy and material resources are national policies embodied in Federal law. Supporting strategies include the consideration of environmental factors in purchasing decisions. Within the Federal government, several laws and executive orders direct agencies to buy recycled content, energy efficient, and biobased products – a practice known as green procurement.

The Federal green procurement mandates can affect our purchasing practices at all levels, from purchase cardholders to base operating supplies to commodities and services provided for customers. The XXXX Activity policy is to consider environmental factors in all purchasing decisions, giving preference to those products and services designated by or recommended in Federal green procurement preference programs. As a practical matter, these programs generally allow exceptions for performance, price, and availability, with appropriate documentation. All activity personnel will meet the requirements for procurement of:

- recycled content products designated by the Environmental Protection Agency,
- energy efficient products designated by the Department of Energy or the Energy Star program, or
- biobased content products to be designated by the United States Department of Agriculture.

I have established a Green Procurement Team that will implement and maintain a plan for the green procurement program at XXXX, including training. All employees who make purchasing decisions must take appropriate actions to actively participate in the success of this program. I intend to recognize our accomplishments locally and send forward those deserving recognition at DLA or DoD levels.

Signed/COMMANDER

Attachment F

Federal Sources of Recycled and Environmentally Preferred Products

General

Thousands of recycled and environmental products are available to DLA procuring activities and their contractors through established Federal supply sources, and new items are continuously being added. Federal sources of EPA-designated items, and other recycled and environmental products, are listed in Table F.1.

Table F.1 Federal Sources of Recycled and Environmental Products

| EPA-designated Items | GSA Federal Supply Service | Government Printing Office | Defense Logistics Agency |
|-------------------------------------------|----------------------------|-----------------------------------------|-----------------------------------------------------------|
| Paper & Paper Products | √ | √ (printing and writing papers only) | thru Document Automation and Production Service (DAPS) |
| Re-Refined Oil | | | √ |
| Retread Tires | √ | | |
| Building Insulation | √ | | |
| Recycled Toner Cartridges | √ | | √ |
| Other Environmentally Preferable Products | √ | √ (soy-based inks) | |
| Coolants | | | √ |

GSA's Federal Supply Service carries other environmental products such as recycled latex paints, energy and water saving items, and items that have been chemically reformulated to be more "environmentally friendly." GSA produces several publications (Table F.2) to assist customers in identifying and requisitioning environmentally preferred products.

Table F.2 GSA Federal Supply Service Publications

| Publication | Description |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| GSA Supply Catalog | <p>Contains information on several thousand products available through the Federal Supply Service, including hundreds of recycled and environmentally preferable products (highlighted in green for easy identification).</p> <p>Also includes information on requisitioning these products through GSA.</p> |
| Market tips | <p>A bimonthly bulletin frequently containing information about new environmentally preferable items being introduced.</p> <p>Includes customer-training seminars scheduled through GSA's regional offices.</p> |

These publications are available through:

Centralized Mailing List Service (CMLS)
P.O. Box 6477
Fort Worth, TX 76115
Phone: (817) 334-5215, FAX: (817) 334-5227

Or

On-line at: www.gsa.gov/cmls

Attachment G

Information Resources

- Air Force Center for Environmental Excellence:
<http://www.afcee.brooks.af.mil>
AFCEE's webpage provides a wealth of information on the Air Force's pollution prevention and environmental compliance programs. Included is a suggested format for the annual review.
- California Recycled-Content Product Database:
<http://www.ciwmb.ca.gov/RCP>
This site contains information on why and how to buy recycled-content products, and provides access to information manufacturers and distributors.
- DLA Environmental, Safety, and Occupational Health Office:
<http://www.dla.mil/dss/DES-E>
Look here for the latest DLA Affirmative Procurement Program guidance and links to environmental reporting systems.
- DLA Environmental Products Catalog
<http://www.dscr.dla.mil/userweb/dscrld/epa/EPSearch.asp>
- Energy Star®
http://www.energystar.gov/index.cfm?c=products.pr_index
Products meeting the Energy Star® can be found at this address.
- Environmental Protection Agency (Recovered Content):
<http://www.epa.gov/cpg>
This site provides the latest information on the Comprehensive Procurement Guidelines and RMANs, and also provides fact sheets on recycled products.
- Environmental Protection Agency (Environmentally Preferred Products)
<http://www.epa.gov/oppt/epp/>
Look here for summaries of the pilot projects, sample contract language, standards information, product sources, and additional information on Environmentally Preferable Purchasing
- DLA Green Products Program
<http://www.dlis.dla.mil/default.asp>
Check out this site to shop for "green" products through the DoD "Electronic Mall" (EMALL).
- General Services Administration
<http://www.gsa.gov/Portal/gsa/ep/home.do?tabId=0>
The GSA homepage provides access to thousands of environmentally preferable products.
- Farm Security and Rural Investment Act of 2002

<http://www.biobased.oce.usda.gov/public/cataloginfo.cfm>

- Defense Environmental Network & Information eXchange (DENIX)
<https://www.denix.osd.mil/denix/DOD/dod.html>
- Energy Efficient and Renewable Energy
<http://www.eere.energy.gov/femp/technologies/eeproducts.cfm>
- Office of the Federal Environmental Executive (OFEE) Green Purchasing
<http://www.ofee.gov/gp/gp.htm>
- Office of Federal Procurement Policy (OFPP)
<http://www.whitehouse.gov/omb/procurement/index.html>
- Joint Service Pollution Prevention Technical Library
<http://p2library.nfesc.navy.mil/>
- United States Department of Agriculture, Biobased Products
<http://www.biobased.oce.usda.gov/public/index.cfm>
- Department of Energy Federal Energy Management Program
<http://www.eere.energy.gov/femp/>

Attachment H

Affirmative/Green Procurement Training

Affirmative Procurement:

Air Force Affirmative Procurement Training Course

<https://webu.brooks.af.mil/webu/secure/coursedesc.asp?id=4#>

- DAU Purchase Card Continuous Learning Module
<https://learn.dau.mil/html/clc/Clc.jsp>

Green Procurement

- **Buying Green: A Multi Functional Approach to Pollution Prevention**
For more information contact the DLA Training Center at (614) 692-5969, 1-800-458-7903, (269) 961-7046, or FAX (269) 961-7055
- **Green Procurement Seminar.** The U.S. Army Center for Health Promotion and Preventive Medicine (USACHPPM) offers onsite Green Procurement Training to credit card holders, procurement request originators, and contracting personnel.
<http://chppm-www.apgea.army.mil/gswsp/SolidWaste/training.htm>
- U.S. Office of Personnel Management Course – “What is “Green” Purchasing, Anyway?”
This fun and instructional course for contracting personnel, purchase card holders, facilities managers, and fleet managers provides an introduction to the Federal “green” purchasing program.
<http://www.usalearning.gov/coursecatalog/index.cfm?FuseAction=BasicSearch>

Attachment I

Roles and Responsibilities, from DOD Green Procurement Program Strategy, found at:
<https://www.denix.osd.mil/denix/Public/ES-Programs/Pollution/Procurement/GPP/gpp-intro.html>

Installation Procurement Offices

Contracting officials are responsible for:

- Reviewing all procurement requests to ascertain and validate whether green products or services are involved in the procurement action.
- Providing guidance to procurement request originators and facilitating acquisition planning with respect to green products and services.
- Providing and documenting green procurement training for procurement personnel in consultation with appropriate DoD and Component acquisition/procurement training sources and environmental management organizations.
- Incorporating appropriate green procurement language and Federal Acquisition Regulation (FAR) clauses in contracts consistent with specifications provided by the customer.
- Gathering, sorting, and reporting of procurement data for the purpose of management evaluation of green procurement performance, when such data is maintained in the Federal Procurement Data System or other databases operated by procurement organizations.
- Ensuring all contract actions from development through award, execution, and close-out meet relevant FAR requirements for green procurement. Specifically, as required by FAR 23.405, these requirements include placing a written justification in the contract file for acquisitions above the micro-purchase threshold that describes why an EPA-designated product containing recovered materials was not acquired.
- Maintaining required documents in the contract file to include estimates, certifications, and written justifications for exceptions.
- Accurately completing the DD Form 350, Individual Contracting Action Report ([DFARS Part 53](#)).
- Including environmental considerations (reuse, recycling, waste reduction, and green purchasing) as a selection criterion.
- Complying with procedures for monitoring and annually reviewing the effectiveness of the GPP.

Attachment J

Definitions and Acronyms

Definitions

Acquisition - acquiring by contract, using appropriated funds for supplies or services (including construction) by and for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated and evaluated. Acquisition begins agency needs are established and includes the description of requirements to satisfy agency needs, solicitation selection of sources, award of contract, contract financing, contract performance, contract administration, and those technical and management functions directly related to the process of fulfilling agency needs by contract. [Executive Order 13101]

Acquisition Management – management of all or any of the activities within the broad spectrum of acquisition, as defined above. Also includes training of the defense acquisition workforce and activities in support of the Planning, Programming, Budgeting, and Execution (PPBE) Process for defense acquisition systems/programs. For acquisition programs this term is synonymous with program management.

Affirmative Procurement Program (APP) - a program assuring guideline items composed of recovered materials will be purchased to the maximum extent practicable, consistent with Federal law and procurement regulations. [RCRA, Section 6002]

Biobased Product – a commercial or industrial product (other than food or feed) that utilizes biological products or renewable domestic agricultural (plant, animal, and marine) or forestry materials. [Executive Order 13101]

Case-by-Case Procurement - specification of different (usually lower) minimum content standards for specific singular procurement actions when a procuring agency is unable to acquire an item which complies with RCRA or DoD federal procurement requirements. Content standards may be changed if the agency determines it consistently cannot procure the designated item using the standards previously established.

Certification – provided by offerors/bidders/vendors, it is written documentation certifying the percentage of recovered materials contained in products or to be used in the performance of the contract is at least the amount required by applicable specifications or other contractual requirements. Certification on multi-component or multi-material products should verify the percentage of post consumer waste and recycled material contained in the major constituents of the product. [EPA Guidelines]

Comprehensive Procurement Guidelines - regulations issued by EPA pursuant to Section 6002 of RCRA: (1) identifying items produced (or can be produced) with recovered materials and where procurement of such items will advance the objectives of RCRA; and (2) providing recommended practices for the procurement of such items. [RCRA, Section 6002]

Cost-Effective Procurement Preference Program - a procurement program favoring more environmentally sound or energy-efficient products and services than other competing products and services, where price and other factors are equal. [OFPP Policy Letter 92-4]

Environmental Management System (EMS) - is a set of processes and practices that enable an organization to reduce its environmental impacts and increase its operating efficiency. [EPA website]

Environmentally Preferable - products or services having a lesser or reduced detrimental effect on human health and the environment when compared with competing products or services that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or product or service disposal. [Executive Order 13101]

Environmentally Sound - a product or service less damaging to the environment when used, maintained, and disposed of in comparison to a competing product or service. [OFPP Policy Letter 92-4]

Estimation - quantitative determination made by vendors of the total percentage of recovered material contained in offered products. Estimations should be based on historical or actual percentages of recovered materials in products sold in substantial quantities to the general public or on other factual basis. EPA recommends DLA procuring activities maintain records of these documents for three years by product type, quantity purchased, and price paid. [EPA Guidelines]

Executive Agency or Agency - an Executive agency as defined in 5 U.S.C 105. For the purpose of, military departments, as defined in 5 U.S.C. 102, are covered under the auspices of the Department of Defense. [Executive Order 13101]

Federal Supply Source - any supply source managed by a Federal agency such as the General Services Administration, Government Printing Office, or Defense General Supply Center. [DLA Guidance]

Life-Cycle Assessment - the comprehensive examination of a product's environmental and economic aspects and potential impacts throughout its lifetime including raw material extraction, transportation, manufacturing, use, and disposal. [Executive Order 13101]

Life-Cycle Cost - the amortized annual cost of a product, including costs associated with capital, installation, operation, maintenance, and disposal, discounted over the lifetime of the product. [Executive Order 13101]

Micro purchase – an acquisition of supplies or services (except construction), the aggregate amount of which does not exceed \$2,500, except that in the case of construction, the limit is \$2,000. [FAR 2.1, Definitions]

Minimum Content Standard - the minimum recovered material content specifications set to assure the recovered material content required is the maximum available without jeopardizing the intended item end use or violating the limitations of the minimum content standards set forth by EPA's guidelines. [RCRA, Section 6002]

Performance Specification - a specification stating the desired product operation or function, but not specifying its construction materials. [EPA Guidelines]

Postconsumer Material - a material or finished product whose life as a consumer item has concluded, after having served its intended use and being discarded for disposal or recovery. "Postconsumer material" is a part of the broader category of "recovered materials." [Executive Order 13101]

Practicable - capable of performing in accordance with applicable specifications, available at a reasonable price and within a reasonable period of time, and while a satisfactory level of competition with other products is being maintained. [EPA Guidelines]

Preference - when two products or services are equal in performance characteristics and price, the Government, in making purchasing decisions, will favor the more environmentally sound or energy-efficient product. [OFPP Policy Letter 92-4]

Preference Standard - the highest practicable minimum content standards for products. When minimum content is impractical to calculate, preference is for the presence of a recovered material or an environmentally preferable trait (i.e., retread tires). [DLA Guidance]

Procurement Request Originators – the individual or organization responsible for defining the requirements for a purchase or acquisition program. This term includes, but is not limited to, engineers, acquisition program managers, and all contract specification writers/reviewers.

Procuring Agency - any Federal (including any DLA procuring activity – ICP or Facility level operation and maintenance activity) or State agency or agency of a state's political subdivision using appropriated Federal funds for such procurement, or any person contracting with any such agency with respect to work performed under such contract. [EPA Guidelines]

Recycled Material - a material utilized in place of raw or virgin material in product manufacturing consisting of materials derived from postconsumer waste, industrial scrap, material derived from agricultural wastes, and other items, all of which can be used in new product manufacture. [EPA Guidelines and OFPP Policy Letter 92-4]

Recyclability – the degree to which a product or material may be recovered or otherwise diverted from the solid waste stream for the purpose of recycling. [Executive Order 13101]

Recycling - the series of activities, including collection, separation, and processing, by which materials are recovered from the solid waste stream for use as raw materials in the manufacture of new products (other than fuel for producing heat or power by combustion). [Executive Order 13101]

Specification - a clear and accurate description of the technical requirements for materials, products, or services including the minimum requirement for materials, quality and construction and any equipment necessary for an acceptable product. In general, specifications are in the form of written descriptions, drawings, prints, commercial designations, industry standards, and other descriptive references. [EPA Guidelines]

Unreasonable Price - The price of a recycled-content product is considered unreasonable if it exceeds the cost of a comparable non-recycled item. (See life cycle cost definition above)

Verification - procedures used by DLA procuring activities to confirm both vendor estimates and certifications of the percentages of recovered material contained in the products supplied to them or used in the performance of a contract. [EPA Guidelines]

Waste Prevention - (also known as "source reduction") any change in the design, manufacturing, purchase, or use of materials or products (including packaging) to reduce their amount or toxicity before they are discarded. Waste prevention also refers to the reuse of products or materials. [Executive Order 13101]

Waste Reduction - preventing or decreasing the amount of waste being generated through waste prevention, recycling, or purchasing recycled and environmentally preferable products. [Executive Order 13101]

Acronyms

| | |
|------|--------------------------------------------------------------|
| AFV | Alternative Fueled Vehicles |
| ANSI | American National Standards Institute |
| APP | Affirmative Procurement Program |
| ASTM | American Society for Testing and Materials |
| CFR | Code of Federal Regulations |
| CID | Commercial Item Description |
| CMLS | Centralized Mailing List Service |
| CPG | Comprehensive Procurement Guideline |
| DLA | Defense Logistics Agency |
| DOE | Department of Energy |
| EPA | Environmental Protection Agency |
| ERLS | Environmental Reporting Logistics System |
| FA | Field Activity (formerly PLFA, Primary Level Field Activity) |
| FAR | Federal Acquisition Regulation |
| FEMP | Federal Energy Management Program |
| FPDS | Federal Procurement Data System |
| FR | Federal Register |
| FSS | Federal Supply Service |
| GPO | Government Printing Office |
| GPR | Green Procurement Report (part of ERLS) |
| GPP | Green Procurement Program or Green Procurement Plan |
| GSA | General Services Administration |
| OFPP | Office of Federal Procurement Policy |

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|------|-----------------------------------------|
| OMB | Office of Management and Budget |
| RCRA | Resource Conservation and Recovery Act |
| RMAN | Recovered Materials Advisory Notice |
| USDA | United States Department of Agriculture |